

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

by deleting all language following the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 4-29-216(a), is amended by deleting item (19) in its entirety.

Section 2. Tennessee Code Annotated, Section 4-29-223(a), is amended by adding the following new item:

() Tennessee regulatory authority, created by the provisions of this act.

Section 3.

(a) Tennessee Code Annotated, Section 4-29-217(b), shall not apply to the Tennessee regulatory authority.

(b) Tennessee Code Annotated, Section 4-29-118(a), shall not apply to the Tennessee regulatory authority.

Section 4. It is the intention of the general assembly that the evaluation committee reviewing the Tennessee regulatory authority pursuant to the Tennessee governmental entity review law consider the method of selection of the directors of such authority and report its recommendations on such selection process to the general assembly with its recommendations to continue, restructure or reestablish the Tennessee regulatory authority as a part of its normal review of the entity pursuant to Tennessee Code Annotated, Section 4-29-223.

Section 5. Tennessee Code Annotated, Title 65, Chapter 1, Part 1, is amended by deleting the part in its entirety and by substituting instead the following:

Section 65-1-101.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(a) There is created the Tennessee regulatory authority consisting of three (3) directors to be appointed by the governor, the speaker of the senate and the speaker of the house of representatives.

(b) The directors of the authority shall be state officers and shall serve for a six-year term.

(c) No later than March 1, 1996, and every March 1 prior to the expiration of the terms of office of the directors thereafter, the governor, the speaker of the senate and the speaker of the house of representatives shall each appoint one (1) director of the authority.

(d) All such appointments shall be confirmed by joint resolution adopted by each house of the general assembly prior to the commencement of the term of office to which such director is appointed.

(e) Any vacancy on the authority shall be filled by appointment by the original appointing authority for such position to serve the unexpired term and such appointment shall be confirmed in the same manner as the original appointment. However, if the general assembly is not in session and a vacancy occurs, the appropriate appointing authority shall fill such vacancy by appointment and the appointee to such vacancy shall serve the unexpired term unless such appointment is not confirmed within thirty (30) days after the general assembly convenes following the appointment to fill such vacancy.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(f) The term of office of each director shall commence on July 1 following such director's appointment.

Section 65-1-102.

(a) No director shall hold any other public office, under either the government of the United States or the government of this or any other state, nor shall any director, while acting as such, engage in any business or occupation inconsistent with such person's duties as a director. No director shall be eligible to qualify as a candidate for any elected office unless such director resigns from the authority prior to qualifying as a candidate. For the purposes of this section, "qualify as a candidate" means filing a statement certifying the name and address of a political treasurer pursuant to the provisions of Tennessee Code Annotated, Section 2-10-105(e).

(b) No person, who owns jointly or severally any bonds, stocks, or other property in any business or entity regulated by the Tennessee regulatory authority, or who is an agent or employee in any way of any such business or entity, or who has any interest personally in any way or manner in any such business or entity, shall be eligible to serve as a director of the Tennessee regulatory authority.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(c) No director shall raise funds or solicit contributions for any political candidate or political party, or actively campaign for any candidate for public office.

Section 65-1-103.

(a) The directors shall meet as often as business may require, and shall remain in session until all business before them is disposed of, and shall hold other sessions at such times and places as may be necessary for the proper discharge of their duties, or as the convenience of the parties, in the judgment of the Tennessee regulatory authority, may require.

(b) All decisions of the Tennessee regulatory authority pertaining to dispositions to or from any deferred revenue account shall be made in a public meeting of the authority. The attorney general and reporter and any other interested party shall be given adequate notice of the meeting and shall be given the opportunity to present oral and written testimony. As used in this section, "deferred revenue account" means any account created for the excess earnings from utilities regulated by the Tennessee regulatory authority.

Section 65-1-104.

(a) A majority of the Tennessee regulatory authority shall constitute a quorum for the transaction of business, and shall elect one (1) of its directors

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

chair of the authority for a two (2) year term. The Tennessee regulatory authority shall appoint an executive secretary.

(b) The authority, with the advice of the executive secretary, shall establish policies for the efficient and economical internal management of the authority to be administered by its executive secretary.

(c) Policies established by the authority shall be communicated to the executive secretary by the chair, and the chair shall be responsible for ensuring that policies established by the authority are fully executed by the executive secretary.

Section 65-1-105.

(a) The compensation of directors of the Tennessee regulatory authority shall be the same as that established for commissioners of the claims commission, and the compensation of the executive secretary shall be fixed by the authority as provided by law for other employees, payable monthly out of the state treasury on the warrant of the commissioner of finance and administration.

(b) The three (3) directors and the executive secretary shall be reimbursed for their actual travel expenses on official business in accordance with the provisions of the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 65-1-106. All employees of the Tennessee regulatory authority shall be reimbursed for travel expenses in accordance with the provisions of the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

Section 65-1-107.

(a) No director shall, directly or indirectly, accept any gift, gratuity, emolument, or employment from any person or corporation owning or operating any business or entity regulated by the Tennessee regulatory authority, or from any officer, attorney, agent or employee thereof; nor shall any director, directly or indirectly, solicit or request from or recommend to any such person or company, or to any officer, attorney, agent or employee thereof, the appointment of any person to any place or position with such business or entity during that director's continuance in office.

(b) It is unlawful for any such person or company or any officer, attorney, agent, or employee thereof to give or offer to give to the directors any gift, gratuity, emolument, employment, place, or appointment, for themselves or other persons.

(c) A violation of any of the provisions of this section shall subject the person or corporation so violating to a fine of not less than one thousand dollars (\$1,000), and not more than five thousand dollars (\$5,000). Any director

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

convicted of a violation of any provision of this section shall, in addition to the above penalty, be immediately dismissed from the office by the judgment of the court trying the case.

Section 65-1-108 The Tennessee regulatory authority shall be furnished a permanent office in Nashville, with all necessary furniture, stationery, and supplies, to be paid for by the state.

Section 65-1-109. The executive secretary shall be the chief administrative officer of the Tennessee regulatory authority and shall have the power and the duty to conduct ordinary and necessary business in the name of the authority, such duties to include, but not be limited to, the following:

(1) Within the limits of available funds and approvals necessitated and authorized by this act, employ such personnel as may be required to effect the purpose of the Tennessee regulatory authority and exercise general supervision over all persons employed, subject to the review of the authority;

(2) Keep a full and correct record of all the proceedings and transactions of the authority;

(3) Administer, monitor and review the operating procedures of each division of the authority;

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(4) Ensure that each division of the authority fully executes in an efficient and economical manner the separate duties and responsibilities assigned to each;

(5) Supervise the expenditure of funds and be responsible for complying with all applicable provisions of state and federal law in the receipt and disbursement of funds;

(6) Recommend to the Tennessee regulatory authority such rules and policies as are necessary and appropriate to efficiently and economically provide for internal management of the authority; and

(7) Perform such other duties as the Tennessee regulatory authority may require or as may be required by statute.

Section 65-1-110. The minutes shall be signed by each member of the Tennessee regulatory authority or by those present when any business is transacted. The minutes and all official documents of every kind shall be kept on file in the office of the authority.

Section 65-1-111. The Tennessee regulatory authority shall, on the first Monday of February each year, make a report to the general assembly of all matters relating to its office for the preceding year, and such as will disclose the practical workings of companies under its jurisdiction in this state, along with such suggestions as it may deem proper, together with an abstract of the minutes of all of its meetings.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 65-1-112. For a copy of any record on file in its office, the Tennessee regulatory authority shall charge and receive the same fees that are charged by the secretary of state for similar services, and shall convey into the state treasury any amount so received.

Section 65-1-113. It is the duty of the Tennessee regulatory authority to ensure that the provisions of this act and all laws of this state over which they have jurisdiction are enforced and obeyed, that violations thereof are promptly prosecuted, and all penalties due the state are collected.

Section 6. Any duty or responsibility assigned to the public service commission pursuant to the provisions of Tennessee Code Annotated, Title 65, or any other provision of law which has not been transferred to an executive branch agency by the provisions of this act is transferred to the Tennessee regulatory authority.

Section 7. All rules of the public service commission in effect on the effective date of this section shall remain in full force and effect as rules of the Tennessee regulatory authority and as rules of the appropriate departments until modified or repealed by the authority or appropriate department.

Section 8. The commissioners of the public service commission in office on June 30, 1996, shall be eligible to become consultants to the Tennessee regulatory authority pursuant to a contract with the state for one-half (1/2) of the remainder of their term of office. Such commissioners shall be compensated for such service by receiving compensation equal to the

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

compensation they received as commissioners of the public service commission for one-half (1/2) of the time which would have remained in their term of office if the public service commission had not been terminated. Such commissioners shall only be eligible for such employment and compensation if:

- (1) such commissioners release the state from any liability for compensation or other damages as a result of such termination;
- (2) such commissioners do not accept any other employment with the state; and
- (3) such commissioners do not accept any employment with any entity regulated by the Tennessee regulatory authority.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 9.

(a) Tennessee Code Annotated, Title 65, Chapter 2, is amended by deleting the words "public service commission" wherever it appears and by substituting instead the words "Tennessee regulatory authority".

(b) Tennessee Code Annotated, Title 65, Chapter 2, is amended by deleting the word "commission" wherever it appears in the chapter and by substituting instead the word "authority".

(c) Tennessee Code Annotated, Title 65, Chapter 2, is further amended by deleting the word "commission's" and by substituting instead the word "authority's".

(d) The Tennessee code commission is directed to change references to the public service commission to the Tennessee regulatory authority in Tennessee Code Annotated, Title 65, Chapter 2.

Section 10. The Tennessee code commission is directed to change references to the public service commission to the department of transportation and to transfer to an appropriate place in Tennessee Code Annotated, the provisions of Tennessee Code Annotated, Title 65, Chapter 3, in order to effectuate the transfer of duties, responsibilities and powers of the public service commission to the department of transportation.

Section 11. The Tennessee regulatory authority or the public service commission is authorized to exercise any power transferred to the department of transportation, the department of safety, the office of the comptroller of the treasury, or the former public service

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

commission pursuant to this act in any provision of Tennessee Code Annotated, the administration of which is transferred by this act, in order to carry out its duties under Tennessee Code Annotated, Title 65.

Section 12.

(a) Tennessee Code Annotated, Section 65-3-123(a), is amended by deleting the words "at public rail highway crossings not subject to oversight by the Tennessee department of transportation pursuant to 65-11-107".

(b) Tennessee Code Annotated, Section 65-3-123, is further amended by adding the following new sentence to be inserted between the first and second sentences of the existing language: "This power and authority is in addition to those granted in Section 65-11-107."

Section 13. Tennessee Code Annotated, Section 65-3-205(b), is further amended by deleting the subsection in its entirety.

Section 14. Tennessee Code Annotated, Section 65-4-101(a)(6), is amended by deleting the words "shall be assessed by the public service commission" and by substituting instead the words "shall be assessed by the comptroller of the treasury".

Section 15. Tennessee Code Annotated, Section 65-4-105(a), is amended by deleting the subsection in its entirety.

Section 16. Tennessee Code Annotated, Section 65-4-106, is amended by deleting the language ", 3".

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 17. Tennessee Code Annotated, Section 65-4-117(2), is amended by deleting the subsection in its entirety and by substituting instead the following:

(2) Request the comptroller of the treasury, from time to time, appraise and value the property of any public utility, as defined in Section 65-4-101, whenever in the judgment of the authority such appraisal and valuation shall be necessary for the purpose of carrying out any of the provisions of this chapter, (The comptroller's office is hereby authorized to make such valuation and in that process may have access to and use any books, documents or records in the possession of any department or board of the state or any political subdivision of the state. For purposes of rate regulation the Tennessee regulatory authority has the specific authority to have access to books, documents or records in possession of any department or board of the state or any political subdivision of the state.);

Section 18. Tennessee Code Annotated, Section 65-4-118, is amended by deleting subsections (a) and (b) in their entirety.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 19.

(a) Tennessee Code Annotated, Section 65-4-118(c)(1), is further amended by inserting the words "in the office of the attorney general and reporter" after the words "there is created a consumer advocate division".

(b) Tennessee Code Annotated, Section 65-4-118(c)(1), is further amended by deleting the last sentence of the subsection and by substituting instead the following: "The offices of the division shall be located wherever the attorney general and reporter, in his discretion, shall so choose."

(c) Tennessee Code Annotated, Section 65-4-118(c)(5), is further amended by deleting the subdivision in its entirety and by substituting instead the following:

(c)(5) The attorney general and reporter shall hire, fire, supervise, direct and control the personnel and activities of the consumer advocate division, and the employees of the division shall be employees of the attorney general and reporter for the purposes of Title 8, Chapter 6.

(d) Tennessee Code Annotated, Section 65-4-118(c), is further amended by adding the following as a new subdivision at the end of the existing subsection:

() The division shall be funded from the general fund as appropriated in the general appropriations act.

Section 20. The Tennessee code commission is directed to change references to the public service commission to the Tennessee regulatory authority and to transfer to an

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

appropriate title in Tennessee Code Annotated the provisions of Tennessee Code Annotated, Title 65, Chapter 4, in order to effectuate the transfer of duties, responsibilities, and powers of the public service commission to the Tennessee regulatory authority.

Section 21. The Tennessee code commission is directed to change references to the public service commission to the department of transportation and to transfer to an appropriate title in Tennessee Code Annotated the provisions of Tennessee Code Annotated, Chapter 5, Part 1, in order to effectuate the transfer of duties, responsibilities, and powers of the public service commission to the department of transportation.

Section 22.

(a) Tennessee Code Annotated, Section 65-5-105, is amended by deleting the words "a railroad or motor bus line in this state" and by substituting instead the words "a railroad, or motor bus line in this state, or freight and passenger motor carrier, unless preempted by federal law,".

(b) Tennessee Code Annotated, Section 65-5-105, is further amended by adding the following words at the end of the section: "The authority of the Tennessee regulatory authority with respect to Tennessee Code Annotated, Sections 65-5-105 through 65-5-115, inclusive, shall expire on June 30, 1997. Such authority shall be assumed by the department of commerce and insurance on July 1, 1997."

Section 23. The Tennessee code commission is directed to change references to the public service commission to the Tennessee regulatory authority and to transfer to an

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

appropriate title in Tennessee Code Annotated the provisions of Tennessee Code Annotated, Title 65, Chapter 5, Part 2, in order to effectuate the transfer of duties, responsibilities, and powers of the public service commission to the Tennessee regulatory authority.

Section 24.

(a) Tennessee Code Annotated, Section 65-6-207, is amended by deleting the words "The public service commission" and by substituting instead the words "The department of transportation".

(b) Tennessee Code Annotated, Section 65-6-207, is further amended by deleting the words and punctuation "the commission shall have the power, and it shall be its duty," and by substituting instead the words and punctuation "the commissioner or the commissioner's designee shall have the power, and the duty,".

(c) Tennessee Code Annotated, Section 65-6-207, is further amended by deleting the words "the commission may find a reasonable necessity" and by substituting instead the words "the department may find a reasonable necessity".

Section 25. Tennessee Code Annotated, Section 65-11-105, is amended by deleting the section in its entirety and by substituting instead the following:

The commissioner of transportation or the commissioner's designee, after conducting such hearing as is deemed appropriate, is empowered and directed to determine a standard railroad crossing sign for the state.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 26. Tennessee Code Annotated, Section 65-11-108, is amended by deleting all the language following the first semicolon in the paragraph and substituting instead the following language:

provided, on appeal from any such order by the railroad company affected, to the chancery court in the judicial district in which the new grade crossing would be located, that such chancery court shall have the power to make any change in the order appealed from with regard to the location and grade of the crossing to be constructed which may appear to the court to be necessary to adequately protect the safety of passenger and freight traffic on the railroad; and provided, further, that the appeal must be made within thirty (30) days of the date the order appealed from is certified to the railroad company affected.

Section 27. Tennessee Code Annotated, Section 65-11-109(1), is amended by deleting the subdivision in its entirety and substituting instead the following:

(1) That any such railroad company may request the commissioner of transportation or the commissioner's designee for an extension of time within which to begin and complete the actual construction of the underpass or overpass required by such order of the commissioner or the commissioner's designee. If the railroad company is dissatisfied with the commissioner's or the commissioner's designee's response to the request for an extension of time, such railroad company may file an appeal to the chancery court in the judicial district in which the grade crossing in

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

question is located; provided that the appeal must be made within thirty (30) days of the date of the adverse response;

Section 28. Tennessee Code Annotated, Section 65-11-111, is amended by deleting all the words following the first semicolon in the paragraph through the end of that sentence, which ends with the words "which shall be final" and substituting instead the following words:

provided, that any disagreement between the commissioner or the commissioner's designee and the railroad company affected with regard to the extent or cost of any such revision of the grade and layout of the railroad tracks directly made necessary by any grade separation, shall be resolved by the commissioner, and the commissioner's decision shall be final.

Section 29. The Tennessee code commission is directed to change references to the public service commission to the department of transportation and to transfer to an appropriate title in Tennessee Code Annotated the provisions of Tennessee Code Annotated, Title 65, Chapter 12, in order to effectuate the transfer of duties, responsibilities and powers of the public service commission to the department of transportation.

Section 30. The Tennessee code commission is directed to change references to the public service commission to the department of safety and to transfer to an appropriate title in Tennessee Code Annotated the provisions of Tennessee Code Annotated, Title 65, Chapter 15 in order to effectuate the transfer of duties, responsibilities and powers of the public service commission to the department of safety.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 31. Tennessee Code Annotated, Section 65-15-107, is amended by adding the following new subsection:

(f) No certificate of convenience and necessity to operate or contract hauler permit pursuant to the provisions of this part shall be required for freight motor vehicles other than carriers of household goods, passenger motor vehicles including those regulated pursuant to the provisions of Tennessee Code Annotated, Section 65-15-104, and limousines. For purposes of this subsection, "limousine" means a motor vehicle for hire designed and/or constructed to accommodate and transport passengers, not more than eight (8) in number, exclusive of the driver. After June 30, 1997, no certificate shall be required for carriers of household goods, passenger motor vehicles including those regulated pursuant to the provisions of Tennessee Code Annotated, Section 65-15-104, and limousines. The department of safety shall have no authority over matters regulated pursuant to this subsection.

Section 32. Notwithstanding the provisions of Tennessee Code Annotated, Title 65, Chapter 15, to the contrary, vehicles required to obtain a certificate of convenience and necessity or contract hauler permit pursuant to the provisions of Tennessee Code Annotated, Section 65-15-107(f), shall be regulated by the Tennessee regulatory authority. The Tennessee regulatory authority shall register all such vehicles operating in intrastate and interstate commerce in Tennessee solely for demonstration of compliance with registration and insurance requirements of Tennessee Code Annotated, Section 65-15-109.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 33.

(a) Tennessee Code Annotated, Section 65-16-101(a), is amended by adding the words and punctuation "or the department of transportation pursuant to Title __, Chapter __" directly before the semicolon, and by deleting the words "public service commission" appearing after the semicolon and by substituting instead the words "comptroller of the treasury".

(b) Tennessee Code Annotated, Section 65-16-101(b), is further amended by deleting the words "public service commission" appearing before the semicolon and by substituting instead the words "department of transportation".

(c) Tennessee Code Annotated, Section 65-16-101(b), is further amended by deleting the words "public service commission" the first time it appears after the semicolon and by substituting instead the words "department of transportation", and by deleting the words "public service commission" the second time it appears after the semicolon and by substituting instead the words "Tennessee regulatory authority".

Section 34. Tennessee Code Annotated, Section 65-25-222(a), is amended in the second sentence by deleting the words "public service commission" and by substituting instead the words "comptroller of the treasury".

Section 35. Tennessee Code Annotated, Section 65-25-223, is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority".

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 36. The Tennessee code commission is directed to change references to the public service commission to the Tennessee regulatory authority and to transfer to an appropriate title in Tennessee Code Annotated the provisions of Tennessee Code Annotated, Title 65, Chapter 28, in order to effectuate the transfer of duties, responsibilities and powers of the public service commission to the Tennessee regulatory authority.

Section 37. Tennessee Code Annotated, Section 65-28-110(f), is amended by deleting the second sentence in its entirety.

Section 38. Tennessee Code Annotated, Section 65-29-129, is amended in the second sentence by deleting the words "public service commission" and by substituting instead the words "comptroller of the treasury".

Section 39.

(a) Tennessee Code Annotated, Section 65-29-130(a), is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority".

(b) Tennessee Code Annotated, Section 65-29-130(a)(1), is amended by deleting the subdivision in its entirety.

(c) Tennessee Code Annotated, Section 65-29-130, is further amended by inserting the following language as a new subsection (b) and by relettering the existing subsection (b) accordingly:

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(b) Cooperatives and foreign corporations engaged in rendering telephone service in this state pursuant to this chapter fall within the jurisdiction of the comptroller of the treasury for the sole and specific purpose of assessing the cooperative property for ad valorem taxes as provided in Section 65-29-129.

(d) Tennessee Code Annotated, Section 65-29-130(b), is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority or the comptroller of the treasury".

Section 40. The Tennessee code commission is directed to change references to the public service commission to the Tennessee regulatory authority and to transfer to an appropriate title in Tennessee Code Annotated the provisions of Tennessee Code Annotated, Title 65, Chapter 30, in order to effectuate the transfer of duties, responsibilities and powers of the public service commission to the Tennessee regulatory authority.

Section 41. Tennessee Code Annotated, Section 65-34-105, is amended by deleting the words "public service commission" wherever they appear and by substituting instead the words "Tennessee regulatory authority" in the first sentence and the word "authority" in the second sentence.

Section 42. Tennessee Code Annotated, Section 65-35-101(4), is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority".

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 43. Tennessee Code Annotated, Section 65-35-107, is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority".

Section 44.

(a) Notwithstanding any provision of law to the contrary, upon the effective date of this section all employees of the public service commission charged with the responsibility of regulating and enforcing the provisions of Tennessee Code Annotated, Title 65, Chapter 3, and Chapter 5, Part 1, and Chapters 11 and 12, and any other employees of the public service commission necessary to assist in such regulating and enforcing, shall be transferred to the department of transportation, created by Tennessee Code Annotated, Section 4-3-101.

(b) All reports, documents, surveys, books, records, papers or other writings in the possession of the public service commission with respect to administering the provisions of Title 65, assigned to the department of transportation by this act, shall be transferred to and remain in the custody of the department of transportation.

(c) All leases, contracts and all contract rights and responsibilities in existence with the public service commission with respect to the duties transferred by this section shall be preserved and transferred to the department of transportation.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(d) All assets, liabilities and obligations of the public service commission with respect to the duties transferred by this section shall become the assets, liabilities and obligations of the department of transportation.

(e) Any revenues from rates, fares, charges, fines, and other moneys received pursuant to Tennessee Code Annotated, Title 65, Chapter 12, shall be allocated to the department of transportation as approved by the transition team pursuant to Section 48 to implement the provisions of this act.

(f) The commissioner of transportation shall promulgate rules and regulations pursuant to Title 4, Chapter 5, to effectuate the purposes of this act.

Section 45.

(a) Notwithstanding any provision of law to the contrary, upon the effective date of this section, all remaining employees of the public service commission not transferred by Sections 44, 46, and 47, of this act charged with the responsibility of regulating and enforcing the provisions of Tennessee Code Annotated, Title 65, and any other employees of the public service commission necessary to assist in such regulating and enforcing, shall be transferred to the Tennessee regulatory authority created by this act.

(b) All reports, documents, surveys, books, records, papers or other writings in the possession of the public service commission with respect to administering the provisions of Title 65, assigned to the Tennessee regulatory authority by this act, shall be transferred to and remain in the custody of the Tennessee regulatory authority.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(c) All leases, contracts and all contract rights, and responsibilities in existence with the public service commission with respect to the duties transferred by this section shall be preserved and transferred to the Tennessee regulatory authority.

(d) All assets, liabilities and obligations of the public service commission with respect to the duties transferred by this section shall become the assets, liabilities and obligations of the Tennessee regulatory authority.

(e) Any revenues from rates, fares, charges, fines, and other moneys received pursuant to Tennessee Code Annotated, Title 65, and assigned to the Tennessee regulatory authority by this act as approved by the transition team pursuant to Section 48, shall be allocated to the Tennessee regulatory authority to implement the provisions of this act.

(f) The authority shall promulgate rules and regulations pursuant to Title 4, Chapter 5, to effectuate the purposes of this act.
Section 46.

(a) Notwithstanding any provision of law to the contrary, upon the effective date of this section, all enforcement officers of the public service commission charged with the responsibility of policing and enforcing the provisions of Tennessee Code Annotated, Title 65, Chapter 15, and any other employees of the public service commission necessary to assist in such policing and enforcing, shall be transferred to the department of safety, created by Tennessee Code Annotated, Section 4-3-101.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(b) All reports, documents, surveys, books, records, papers or other writings in the possession of the public service commission with respect to administering the enforcement of Title 65, assigned to the department of safety by this act, shall be transferred to and remain in the custody of the department of safety.

(c) All leases, contracts and all contract rights, and responsibilities in existence with the public service commission with respect to the duties transferred by this section shall be preserved and transferred to the department of safety.

(d) All assets, liabilities and obligations of the public service commission with respect to the duties transferred by this section shall become the assets, liabilities and obligations of the department of safety

(e) Any revenues from rates, fares, charges, fines, and other moneys received pursuant to Tennessee Code Annotated, Title 65, assigned to the department of safety by this act, shall be allocated to the department of safety as approved by the transition team pursuant to Section 48 to implement the provisions of this act.

(f) The commissioner of safety shall promulgate rules and regulations pursuant to Title 4, Chapter 5, to effectuate the purposes of this act.

Section 47.

(a) Notwithstanding any provision of law to the contrary, upon the effective date of this section, all employees of the public service commission charged with the responsibility of regulating and enforcing the provisions of Tennessee Code Annotated,

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Title 67, assigned by provisions of this act to the office of the comptroller and any other employees of the public service commission necessary to assist in such regulating and enforcing, shall be transferred to the comptroller of the treasury.

(b) All reports, documents, surveys, books, records, papers or other writings in the possession of the public service commission with respect to administering such provisions assigned to the office of the comptroller of the treasury by this act, shall be transferred to and remain in the custody of the comptroller.

(c) All leases, contracts and all contract rights, and responsibilities in existence with the public service commission with respect to the duties transferred by this section shall be preserved and transferred to the office of the comptroller of the treasury.

(d) All assets, liabilities and obligations of the public service commission with respect to the duties transferred by this section shall become the assets, liabilities and obligations of the office of the comptroller of the treasury.

(e) Any revenues from rates, fares, charges, fines, and other moneys received pursuant to Tennessee Code Annotated, Title 65, and assigned to the office of the comptroller by this act shall be allocated to the office of the comptroller of the treasury to implement the provisions of this act.

(f) The comptroller shall promulgate rules and regulations pursuant to Title 4, Chapter 5, to effectuate the purposes of this act.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 48.

(a) It is the intention of the general assembly that duties, authority, personnel, and property transferred on the effective date of this act be transferred no later than June 30, 1996. Such transfers shall be subject to approval of a plan of transfer by a transition team composed of the comptroller of the treasury, the state treasurer and the commissioner of finance and administration. Such transfers shall also be subject to approval of the plan of transfer by the finance, ways and means committees of the senate and house of representatives.

(b) The commissioner of the department of personnel shall develop and present a transfer plan to the transition team for review and approval for each executive department receiving transfers of duties and personnel pursuant to the provisions of this act. Each such plan shall set forth the procedures under which transferred employees will be incorporated into the departments. Each plan shall also include, but is not limited to:

(1) Analysis and determination of the workforce needs and requirements for the department receiving the function;

(2) A detailed report of the number of employees required to operate each function transferred to a department. This allocation report should include the name of the employee being transferred, as well as such employee's current and proposed classification title, job description and salary;

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(3) If the workforce analysis report reflects that all current public service commission employees are not necessary for the effective implementation of a program, a detailed plan of placement options for each such employee to other executive departments shall be presented; and

(4) Provisions regarding any changes in salary, rank or employment of transferred employees.

(c) Plans reviewed and approved by the transition team shall, before implementation, be reviewed and approved by both the senate finance, ways and means committee and the house finance, ways and means committee.

(d) In the event that a reduction-in-force is required as a result of the implementation of this act, the provisions of Tennessee Code Annotated, Sections 8-30-320 and 8-30-322, shall apply to all career service employees affected by the provisions of this act as such sections relate to state service seniority and order of recall.

(e) It is the intent of the general assembly that the transition team shall have full authority to resolve any questions or disputes relative to issues surrounding the transfer of employees affected by this act. Further, the transition team shall have full authority over personnel and all other administrative and budget processes of the commission from the date of passage of this act through June 30, 1996.

(f) The transition team shall establish the amount of funds that shall be transferred from the public service commission to the departments to fund functions and

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

personnel transferred by the provisions of this act. Such team shall also establish a procedure for transferring such funds. Any transfer shall require approval of the transition team and approval by the senate finance, ways and means committee and by the house finance, ways and means committee. Budgets for the Tennessee regulatory authority shall be submitted to the department of finance and administration for inclusion in the governor's budget.

Section 49.

(a) Recognizing the years of faithful and dedicated service to the state of Tennessee by the employees of the public service commission, it is the intention of the general assembly that those employees who serve in jobs that would be classified as career service as defined in Tennessee Code Annotated, Section 8-30-208, receive the benefits and protection of career service status upon passage of this act without further examination or competition; provided, however, that such employees must have completed at least six (6) months of service with the public service commission upon the effective date of this act.

(b) The department of personnel shall complete the establishment of new job classifications, minimum qualifications, salary ranges, and civil service testing and ranking procedures for the development of certificates of eligibles, for all new classifications needed to support the functions transferred by the provisions of this act no later than June 30, 1997.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(c) Notwithstanding any other provision of law to the contrary, the appointing authority over any position deemed to be career service by the provision of this act, whether in the Tennessee regulatory authority or in any other state service department or agency to which such position may be transferred pursuant to this act, shall not be required to fill any such position from an appointment or promotion list for a period of two (2) years from the effective date of the transfer provisions of this act unless the commissioner of personnel certifies earlier that such lists are properly available under the provision of Title 8, Chapter 30.

Section 50. Tennessee Code Annotated, Section 8-30-101(a)(23)(J), is amended by deleting the subdivision in its entirety.

Section 51.

(a) All employees of the public service commission, as of the effective date of this section, who serve in jobs which would be classified as career service positions as defined in Tennessee Code Annotated, Section 8-30-208, shall be members of the "state service" as such term is defined in Tennessee Code Annotated, Section 8-30-101, and shall be granted career service status without further examination or competition; provided, however, that such employees must have completed at least six (6) months of service with the public service commission upon the effective date of this section.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(b) In addition to the designations of career and executive service employees in Tennessee Code Annotated, Section 8-30-208, the following members of the public service commission shall be included in the executive service:

- (1) Members of the Tennessee regulatory authority,
- (2) The executive director of the Tennessee regulatory authority,
- (3) The personal staff of the members of the Tennessee regulatory authority,
- (4) The division directors and assistant division directors of the Tennessee regulatory authority, and
- (5) Any attorneys employed by the Tennessee regulatory authority.

(c) All actions of the department of personnel in regard to Tennessee regulatory authority employees may, upon request of a majority of the authority directors, be reviewed and revised, modified or reversed by action of the house finance ways and means committee and the senate finance, ways and means committee.

Section 52.

(a) The provisions of Tennessee Code Annotated, Title 8, Chapter 30, Part 3, relative to noncompetitive and entrance tests and appointment and promotion lists shall not apply to personnel transfers made pursuant to the provisions of this act. Any employee so transferred shall, however, be eligible to compete for promotion pursuant to the provisions of such chapter.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(b) No employee transferred pursuant to the provisions of this act shall be subject to the provisions of Tennessee Code Annotated, Sections 8-30-312 through 8-30-314, except as otherwise provided by this act, if such employee has been employed by the state for at least six (6) months on the effective date of this act.

Section 53.

(a) Tennessee Code Annotated, Section 8-23-101(b), is amended by adding the word "and" following the colon at the end of item (5) and by deleting the words, figures and punctuation "; and (7) Public service commissioner".

(b) Tennessee Code Annotated, Section 8-23-101, is further amended by deleting subsection (f)(3) in its entirety.

Section 54. As sections, parts, titles, chapters and volumes of Tennessee Code Annotated are amended, repealed, revised and replaced, the Tennessee code commission is directed to change references to the public service commission to references to the Tennessee regulatory authority and/or to appropriate departments to which duties and responsibilities of the public service commission have been transferred by the provisions of this act. After the effective date of this act, any reference to the public service commission shall be deemed to be a reference to the Tennessee regulatory authority or appropriate department as provided by the provisions of this act.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 55. Tennessee Code Annotated, Section 2-3-203, is amended by adding the word "and" following the colon at the end of item (5) and by deleting the words, figures and punctuation "; and (7) Public service commissioner".

Section 56. Tennessee Code Annotated, Section 2-5-208(c), is amended by deleting item (1)(D) in its entirety.

Section 57. Tennessee Code Annotated, Section 2-8-110(a), is amended by deleting the words and punctuation "member of the public service commission,".

Section 58. Tennessee Code Annotated, Section 2-8-111(4), is amended by deleting the words and punctuation "or public service commissioner,".

Section 59. Tennessee Code Annotated, Section 2-10-102(11)(b), is amended by deleting the words and punctuation "public service commissioner,".

Section 60. Tennessee Code Annotated, Section 2-13-202(2), is amended by deleting the subdivision in its entirety.

Section 61. Tennessee Code Annotated, Section 3-6-102(15)(B), is amended by deleting the words "members of the public service commission" and substituting instead the words "directors of the Tennessee regulatory authority".

Section 62.

(a) Tennessee Code Annotated, Section 3-6-112, is amended by deleting the words "public service commission" wherever they appear and by substituting instead the words "Tennessee regulatory authority" in each instance.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(b) Tennessee Code Annotated, Section 3-6-112(b), is further amended by deleting the words "public service commissioner" and substituting instead the word "director".

(c) Tennessee Code Annotated, Section 3-6-112(b)(2), is further amended by deleting the word "commission" and substituting instead the word "authority".

(d) Tennessee Code Annotated, Section 3-6-112(c), is further amended by deleting the words "member of the" and substituting instead the words "director of the" and by deleting the words "to the entire membership" and substituting instead the words "to all the directors".

(e) Tennessee Code Annotated, Section 3-6-112(d), is further amended by deleting all of the language following the figures "65-1-103".

Section 63. Tennessee Code Annotated, Section 4-3-2303, is amended by adding the following language as a new subdivision:

(18) exercise all duties, responsibilities and powers granted the department in Title 65, Chapters 3, 11, and 12 and establish and promulgate rules and regulations necessary for the administration and enforcement of Title 65, Chapters 3, 11, and 12.

Section 64. Tennessee Code Annotated, Section 4-3-5103(6), is amended by deleting the words "public service commission" and substituting instead the words "comptroller of the treasury".

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 65. Tennessee Code Annotated, Section 4-3-5105(2), is amended by deleting the words "public service commissioner" and substituting the words "comptroller of the treasury".

Section 66. Tennessee Code Annotated, Section 4-3-5501(a), is amended by deleting the words "public service commission" and by substituting the words "Tennessee regulatory authority" in each instance and by deleting the words "In addition, one (1) member" and substituting instead the words "In addition, one (1) director".

Section 67. Tennessee Code Annotated, Title 4, Chapter 3, Part 20, is amended by adding the following new section:

Section __. The department of safety shall have the power to exercise all duties, responsibilities and powers granted the department in Title 65, Chapter 15, to establish and promulgate rules and regulations necessary for the administration and enforcement of Title 65, Chapter 15.

Section 68. Tennessee Code Annotated, Section 4-5-322(b)(1), is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority".

Section 69.

(a) Tennessee Code Annotated, Section 4-7-105(a), is amended by deleting the words "to aid in the enforcement of" and substituting instead the words "to enforce".

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(b) Tennessee Code Annotated, Section 4-7-105(a), is further amended by deleting the words "public service commission" and substituting instead the words "department of safety".

(c) Tennessee Code Annotated, Section 4-7-105(b), is amended by inserting the words "and in compliance with Section 65-15-109" after the words "under a certificate" and before the words "and whether".

Section 70. Tennessee Code Annotated, Section 6-22-104, is amended by deleting the words "public service commission" wherever they appear and by substituting instead the words "comptroller of the treasury" at the first instance and "comptroller" at all other instances.

Section 71. Tennessee Code Annotated, Section 6-22-106(a), is amended by deleting the words "public service commission" and by substituting instead the words "comptroller of the treasury".

Section 72. Tennessee Code Annotated, Section 6-33-111(d), is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority" and by deleting the word "commission" and substituting instead the word "authority".

Section 73. Tennessee Code Annotated, Section 6-51-301(a)(1) and (d)(1), are amended by deleting the words "public service commission" wherever they appear and by substituting instead the words "Tennessee regulatory authority" in each instance.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 74. Tennessee Code Annotated, Section 7-34-117, is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority".

Section 75. Tennessee Code Annotated, Section 7-39-311, is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority".

Section 76. Tennessee Code Annotated, Section 7-39-403(a)(1), is amended by deleting the words "public service commission" and by substituting instead the words "comptroller of the treasury" and further amend by deleting the word "commission" and by substituting instead the word "comptroller".

Section 77. Tennessee Code Annotated, Title 7, Chapter 51, Part 8, is amended by deleting the words "executive director of the public service commission" wherever they appear and by substituting instead the words "commissioner of the department of transportation" in each instance.

Section 78. Tennessee Code Annotated, Section 7-51-804(b), is amended by deleting the words "executive director" wherever they appear and by substituting instead the word "commissioner" in each instance.

Section 79.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(a) Tennessee Code Annotated, Section 7-51-1005(a), is amended by deleting the words "public service commission" and by substituting instead the words "department of safety".

(b) Tennessee Code Annotated, Section 7-51-1005(b), is further amended by deleting the word "commission" and by substituting instead the words "department of safety".

Section 80. Tennessee Code Annotated, Section 7-52-303(a)(1), is amended by deleting the words "public service commission" and by substituting instead the words "comptroller of the treasury" and by deleting the word "commission" and by substituting instead the word "comptroller".

Section 81.

(a) Tennessee Code Annotated, Section 7-82-102, is amended by deleting from subdivisions (b)(1), (2), and (4) the words "public service commission" wherever they appear and by substituting instead the words "Tennessee regulatory authority" in each instance.

(b) Tennessee Code Annotated, Section 7-82-102(b)(2), is further amended by deleting the words "public service commission" and by substituting instead the word "authority".

Section 82. Tennessee Code Annotated, Section 7-82-103(b)(2)(A)(ii), is amended by deleting the words "and the public service commission".

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 83. Tennessee Code Annotated, Section 7-82-104(a), is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority".

Section 84. Tennessee Code Annotated, Section 7-82-301(a)(2)(B), is amended by deleting the words "public service commission" wherever they appear and by substituting instead the words "department of transportation" in each instance.

Section 85. Tennessee Code Annotated, Section 7-86-102, is amended by deleting the words "public service commission" wherever they appear and by substituting instead the words "Tennessee regulatory authority" in each instance.

Section 86. Tennessee Code Annotated, Section 7-86-103, is amended by deleting from subdivisions (4), (9) and (11) the words "public service commission" wherever they appear and by substituting instead the words "Tennessee regulatory authority" in each instance.

Section 87. Tennessee Code Annotated, Section 7-86-111, is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority".

Section 88. Tennessee Code Annotated, Section 8-6-202, is amended by deleting the words "public service commission" wherever they appear and by substituting instead the words "Tennessee regulatory authority".

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 89. Tennessee Code Annotated, Section 8-7-201(b)(7)(E), is amended by adding the words "and/or the Tennessee regulatory authority" immediately following the words "public service commission".

Section 90. Tennessee Code Annotated, Section 8-23-206(d)(1), is amended by deleting the words and punctuation "judges, members of the general assembly and public service commissioners" and by substituting instead the words and punctuation "judges, and members of the general assembly".

Section 91. Tennessee Code Annotated, Section 8-34-101(7), is amended by adding at the end of the subdivision the words and figures "prior to June 30, 1996".

Section 92. Tennessee Code Annotated, Section 8-37-605(b), is amended by deleting the words "public service commission" and substituting instead the words "department of safety".

Section 93. Tennessee Code Annotated, Section 8-48-205, is amended by deleting the words "member of the public service commission" and by substituting instead the words "director of the Tennessee regulatory authority".

Section 94. Tennessee Code Annotated, Section 8-50-501, is amended by deleting the words "member of the public service commission" and by substituting instead the words "director of the Tennessee regulatory authority".

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 95. Tennessee Code Annotated, Section 9-13-102, is amended by deleting the words "public service commission" and by substituting instead the words "comptroller of the treasury".

Section 96. Tennessee Code Annotated, Section 9-13-104, is amended by deleting the words "and the public service commission and its staff" from the second sentence.

Section 97. Tennessee Code Annotated, Section 12-3-101, is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority".

Section 98. Tennessee Code Annotated, Section 12-6-102, is amended by deleting the words "public service commissioner" and by substituting instead the words "Tennessee regulatory authority director".

Section 99. Tennessee Code Annotated, Section 13-16-203, is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority, the department of safety pursuant to Title ____, Chapter ____, and/or the department of transportation pursuant to Title ____, Chapter ____".

Section 100. Tennessee Code Annotated, Section 35-3-109, is amended by deleting the words "public service commission" wherever they appear and by substituting instead the words "Tennessee regulatory authority" in each instance.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 101. Tennessee Code Annotated, Section 35-3-110, is amended by deleting the words "public service commission" wherever they appear and by substituting instead the words "Tennessee regulatory authority".

Section 102. Tennessee Code Annotated, Section 39-17-420(a), is amended in the fourth sentence by deleting the language “; and all fines and forfeitures resulting from cases and actions of motor carrier enforcement officers of the public service commission shall be paid into the state treasury to the credit of the motor vehicle account in accordance with the provisions of Section 65-15-116(g)”.

Section 103. Tennessee Code Annotated, Section 47-18-1501(2), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(2) "Authority" means the Tennessee regulatory authority, created by the provisions of this act; and

Section 104. Tennessee Code Annotated, Title 47, Chapter 18, Part 15, is amended by deleting the word "commission" wherever it appears and by substituting instead the word "authority".

Section 105. Tennessee Code Annotated, Section 47-25-611(i)(3), is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority, the department of safety pursuant to Title ____, Chapter ____, and/or the department of transportation pursuant to Title ____, Chapter ____".

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 106. Tennessee Code Annotated, Section 49-4-704, is amended by deleting the words and punctuation ", the public service commission or".

Section 107. Tennessee Code Annotated, Section 54-15-120(d), is amended by deleting the words "public service commission" and by substituting instead the words "department of transportation" each time they appear.

Section 108. Tennessee Code Annotated, Section 55-3-102(d), is amended by deleting the subsection in its entirety.

Section 109. Tennessee Code Annotated, Section 55-4-101(l)(1) and (l)(2), are amended by deleting the words "public service commission" and by substituting instead the words "department of safety".

Section 110. Tennessee Code Annotated, Section 55-4-113, is amended by deleting the words "public service commission" and by substituting instead the words "department of safety" each time they appear.

Section 111. Tennessee Code Annotated, Section 55-4-120(c)(2), is amended by deleting the words "and the chair of the public service commission".

Section 112. Tennessee Code Annotated, Section 55-6-103(c), is amended by deleting the words "public service commission" and by substituting instead the words "department of safety".

Section 113. Tennessee Code Annotated, Section 55-8-158(b)(2), is amended by deleting the words "the public service commission or" and further by deleting from subsection

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

(b)(3) the words "public service commission" and substituting instead the words "department of safety".

Section 114. Tennessee Code Annotated, Section 55-8-160(c)(2), is amended by deleting the words "and holding a certificate of convenience and necessity or interstate permit issued by the public service commission authorizing the operation of" and by substituting instead the words "who is authorized to operate".

Section 115. Tennessee Code Annotated, Section 55-12-106, is amended by deleting the words "public service commission" and by substituting instead the words "department of safety".

Section 116. Tennessee Code Annotated, Section 55-12-115(a)(3), is amended by deleting the words "public service commission" and by substituting instead the words "department of safety".

Section 117. Tennessee Code Annotated, Section 58-2-301, is amended by deleting the words "public service commission" and by substituting instead the words "department of safety pursuant to Title ____, Chapter ____, and/or department of transportation pursuant to Title ____, Chapter ____".

Section 118. Tennessee Code Annotated, Section 64-4-107(b), is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority".

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 119. Tennessee Code Annotated, Section 67-4-814(2)(B), is amended by deleting the words "public service commission" and by substituting instead the words "department of safety".

Section 120. Tennessee Code Annotated, Section 67-4-912(2)(B), is amended by deleting the words "public service commission" and by substituting instead the words "department of safety".

Section 121. Tennessee Code Annotated, Section 67-5-501, is amended by deleting from subdivision (8)(K) the words "public service commission" and by substituting instead the words "department of safety", by deleting from subdivision (8)(M) the words "public service commission" and by substituting instead the words "department of transportation", and by deleting from subdivision (8)(N) the words "public service commission" and by substituting instead the words "department of transportation".

Section 122. Tennessee Code Annotated, Section 67-5-502(a)(1), is amended by deleting the words "public service commission" and by substituting instead the words "comptroller of the treasury".

Section 123. Tennessee Code Annotated, Section 67-5-507(a)(2), is amended by deleting the words "public service commission" and by substituting instead the words "comptroller of the treasury".

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 124. Tennessee Code Annotated, Section 67-5-903, is amended by deleting the words "public service commission" and by substituting instead the words "comptroller of the treasury".

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 125.

(a) Tennessee Code Annotated, Title 67, Chapter 5, Part 13, is amended by deleting the words "public service commission" wherever they appear and by substituting the words "comptroller of the treasury" in the first instance and "comptroller" in the remaining instances.

(b) Tennessee Code Annotated, Title 67, Chapter 5, Part 13, is further amended by deleting the word "commission" wherever it appears and by substituting instead the word "comptroller" in each instance.

Section 126. Tennessee Code Annotated, Section 67-5-1502(a), is amended by deleting the words "public service commission" and by substituting instead the words "comptroller of the treasury".

Section 127. Tennessee Code Annotated, Section 67-5-1505(a), is amended by deleting the words "public service commission" and by substituting instead the words "comptroller of the treasury".

Section 128. Tennessee Code Annotated, Section 67-5-1601(i)(2) and (i)(3), is amended by deleting the words "public service commission" each time they appear and by substituting instead the words "comptroller of the treasury" the first time they appear and "comptroller" in all subsequent instances.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

Section 129. Tennessee Code Annotated, Section 67-5-1606(c), is amended by deleting the words "public service commission" and by substituting instead the words "comptroller of the treasury".

Section 130. Tennessee Code Annotated, Section 68-102-148(b), is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority".

Section 131. Tennessee Code Annotated, Section 68-202-104(b), is amended by deleting the words "public service commission" and by substituting instead the words "department of safety".

Section 132. Tennessee Code Annotated, Section 68-212-107(d)(5), is amended by deleting the words "public service commission" and by substituting instead the words "department of safety".

Section 133. Tennessee Code Annotated, Section 68-221-518, is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority".

Section 134. Tennessee Code Annotated, Section 68-221-605(e)(5), is amended by deleting the words "public service commission" and by substituting instead the words "Tennessee regulatory authority".

Section 135. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1927

House Bill No. 1938

the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Section 136. For the purposes of transition, references to the public service commission may be deemed to be references to the Tennessee regulatory authority, the department of transportation, the department of safety, and the comptroller of the treasury, and references to the Tennessee regulatory authority may be deemed to be references to public service commission, to accommodate the transition plans developed pursuant to Section 48.

Section 137. This act shall take effect as follows, subject to the required approvals under Section 48, the public welfare requiring it:

(a) on July 1, 1995, for the purposes of Sections 1, 2, 10, 12-19, 21-22, 24-34, 38, 39, 44, 63-65, 67, 69-71, 76-80, 84, 92, 95, 99, 105, 107-117, 119-129, 131, 132;

(b) on July 1, 1996, for the purposes of Sections 3, 5 [except as provided in subsection (c) of this section], 6, 9, 20, 23, 35, 36, 37, 40-43, 45, 53, 55-62, 66, 68, 72-75, 81-83, 85-89, 90, 91, 93, 94, 96-98, 100, 101, 103, 104, 106, 118, 130, 133, 134;

(c) on January 1, 1996 for the purpose of appointing and confirming directors of the Tennessee regulatory authority as provided in Section 65-1-101 of the amendatory language in Section 5; and

(d) on becoming a law for the purposes of Sections 4, 7, 8, 11, 46-52, 54, 135-136, and for rulemaking and other administrative purposes, unless otherwise provided by this act.